

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 21-cv-23103-BLOOM/Otazo-Reyes**

CASA EXPRESS CORP, *as Trustee  
of Casa Express Trust,*

Judgement Creditor,

v.

BOLIVARIAN REPUBLIC OF VENEZUELA,

Judgment Debtor.

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**PARTIAL DEFAULT FINAL JUDGMENT**

**THIS CAUSE** is before the Court upon Plaintiff Casa Express Corp's ("Casa") Motion for Default Final Judgment Against Impleaded Defendant Alejandro Andrade Cedeno and Judgment Debtor Bolivarian Republic of Venezuela. ECF No. [149] ("Motion"). Pursuant to Federal Rule of Civil Procedure 58, the Court enters PARTIAL DEFAULT FINAL JUDGMENT in favor of Casa and against Bolivarian Republic of Venezuela

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The following declaratory judgment is entered in favor of the Plaintiff pursuant to 28 U.S.C. § 2201:

a. Plaintiff established that the fiscal agency agreements ("FAAs"), which govern the debt securities that form the basis of Plaintiff's underlying judgment against Venezuela, contain a provision entitled "Waiver of Immunity" that Venezuela expressly adopted in the FAAs. It provides:

To the extent that the Issuer [Venezuela] or any of its revenues, assets or properties shall be entitled . . . with respect to any suit, action or proceeding at any time brought solely for the purpose of enforcing or executing any Related Judgment in any jurisdiction in which any Specified Court or Other Court is located, to any immunity from suit, from the jurisdiction of any such court, from attachment prior to judgment, from attachment in aid of execution of judgment, from execution of a judgment or from any other legal or judicial process or remedy, and to the extent that in any such jurisdiction there shall be attributed such an immunity, the Issuer irrevocably agrees not to claim and irrevocably waives such immunity to the fullest extent permitted by the laws of such jurisdiction (including, without limitation, the Foreign Sovereign Immunities Act of 1976 of the United States) . . . .

ECF No. [60-24] § 14(d) (emphasis added); ECF No. [60-25] § 14(d) (same).

b. Plaintiff established that the District Court for the Southern District of New York interpreted the “Waiver of Immunity” provisions in the underlying action against Venezuela. The District Court for the Southern District of New York ruled that Venezuela “expressly waived its sovereign immunity” in the FAAs. *Casa Express Corp. as Tr. of Casa Express Tr. v. Bolivarian Republic of Venezuela*, 492 F. Supp. 3d 222, 229 (S.D.N.Y. 2020) (“In the fiscal agency agreements governing the bonds at issue in these actions, Defendant expressly waived its sovereign immunity”) (citing FAAs at § 14).

c. Plaintiff established that the eight real properties<sup>1</sup> that are the subject of this proceeding are in the United States.

d. The Court reserves jurisdiction to award any attorneys’ fees and costs that may accrue in this proceeding to Plaintiff against Venezuela after a final disposition on the merits of the case. Fla. Stat. § 56.29(8).

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<sup>1</sup> See ECF No. [60] at Statement of Facts ¶ 29 (listing the eight real properties).

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**DONE AND ORDERED** in Chambers at Miami, Florida, on July 17, 2023.

A handwritten signature in black ink, appearing to be 'JB' or similar, written over a horizontal line.

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

Copies to:

Counsel of Record

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